

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Mark Allen McConnaughy,

Plaintiff,

Case No. 2:21-cv-2240

v.

Judge Michael H. Watson

Belmont County Courthouse,

Magistrate Judge Deavers

Defendant.

OPINION AND ORDER


Magistrate Judge Deavers performed an initial screen of this *pro se* case, brought *in forma pauperis*, under 28 U.S.C. § 1915(e), and on August 2, 2021, she issued a Report and Recommendation (“R&R”) recommending the Court dismiss Plaintiff’s Complaint. R&R, ECF No. 6. The R&R notified Plaintiff of his right to object to the recommendations therein and that failure to timely object would amount to a waiver of both the right to *de novo* review by the Undersigned as well as a right to appeal the Court’s adoption of the R&R. *Id.* at 7–8.

Plaintiff timely objected, but he did not object to the substance of the R&R. Obj., ECF No. 7. Instead, Plaintiff stated that he believed Magistrate Judge Deavers has a conflict of interest and potentially had committed judicial misconduct. *Id.* Plaintiff cites absolutely no evidence to support such a serious charge. This type of general objection to the entirety of the R&R “has the same effect[] as would a failure to object,” *Howard v. Sec’y of HHS*, 932 F.2d 505, 509

(6th Cir. 1991), and, therefore, the Court is not obligated to conduct a *de novo* review of the R&R. Nevertheless, the Court has reviewed Plaintiff's Complaint and the R&R and sees no basis to overrule the R&R.

Upon *de novo* review, the Court **ADOPTS** the R&R and **DISMISSES** Plaintiff's case.¹ The Clerk is **DIRECTED** to close the case.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT

¹ Plaintiff has also filed a motion for change of venue asserting that Judge Sargus and Magistrate Judge Deavers have a conflict of interest regarding this case and suggesting possible judicial misconduct. ECF No. 8. Plaintiff has not provided any credible allegations to support this claim, and the Undersigned has conducted a *de novo* review of all proceedings in Plaintiff's cases. No misconduct or conflict of interest is apparent from the record. Additionally, Judge Sargus has had no involvement with this case. Plaintiff's motion to change venue is **DENIED AS MOOT** because of the dismissal of his Complaint, but the motion would have been denied on the merits in any event.